

Docket No.: S3-03P07676

**COMBINED DECLARATION AND POWER OF ATTORNEY
IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR THE GENERATION OF ELECTRICAL PULSES

described and claimed in the specification bearing that title, that I understand the content of the specification, that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56, and that no application for patent or inventor's certificate of this invention has been filed earlier than the following in any country foreign to the United States prior to this application by me or my legal representatives or assigns:

German application DE 10 333 318.5, filed July 22, 2003, the International Priority of which is claimed under 35 U.S.C. § 119; and International Application No. PCT/EP2004/051127, filed June 16, 2004, the Priority of which is claimed under 35 U.S.C. § 120.

I hereby appoint practitioners associated with the Customer Number:

24131

as my attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Address all correspondence and telephone calls to the mailing address/contact numbers associated with Customer Number

24131

LERNER GREENBERG STEMER, LLP.
POST OFFICE BOX 2480
HOLLYWOOD, FLORIDA 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST JOINT INVENTOR:

JOSEF ASPELMAYR

Inventor's Signature

Date

Residence: RIED/RIEDMARK, AUSTRIA

Country of Citizenship: AUSTRIA

Post Office Address: AUF DER LINDN 47
A-4312 RIED/RIEDMARK
AUSTRIA

FULL NAME OF SECOND JOINT INVENTOR:

BERND FALKE

Inventor's Signature

Date

Residence: PENTLING, GERMANY

Country of Citizenship: GERMANY

Post Office Address: HAIDSTRASSE 23
D-93080 PENTLING
GERMANY

Re Box No. V

1. In this opinion reference is made to the following document:
D1: SHEER, ROBIN: "Using the 80C196KB", November 1991, INTEL,
XP002296671
2. **INDEPENDENT CLAIM 1**
 - 2.1 The present application does not fulfill the requirements of Article 33(1) PCT, because the subject matter of Claim 1 is not novel within the meaning of Article 33(2) PCT. D1 discloses an example of programming 4 on pages 33 to 34 (the references in brackets relate to this document):
Method for the generation of electrical pulses (here PWM signals PWM0 to PWM2, see Fig. 12-2), in which input signals from a reference source (externally timed Timer2, see Fig. 12-2) are fed in, under program control using entered parameters the calculation means calculate control values dependent on the input signals for controlling a pulse generation circuit (High Speed Output Unit HSO) (see also program listing 12-4 on page 34), and the pulse generation circuit generates a temporal sequence of electrical voltage levels (logical "0" and "1") at at least one output (HSO Ports HSO.0 to HSO.2, see Fig. 12-2) as a function of the control values, whereby
 - the entered parameters in each case comprise a pair of values, of which one value represents a size (HSO_TIME Register representing the time of the event, see program listing 12-4 on page 34) and another value represents a type (HSO_COMMAND Register representing inter alia the polarity of the signal, see program listing 12-4 on page 34) for the entered parameter, and the processing of the size for the parameter in the calculation means takes place as a function of the type of the parameter.
3. **DEPENDENT CLAIMS 2, 3, 5, 6**
Claims 2, 3, 5 and 6 do not contain any features which in combination with the features of any claim to which they relate fulfill the requirements of the PCT in relation to novelty or inventive step.
4. **DEPENDENT CLAIMS 4, 8, 9**
The combinations of features contained in dependent Claims 8 and 9 are suggested by the prior art and thus do not relate to an inventive step within the meaning of Article 33(3) PCT.
5. **CLAIM 7**
Claim 7 (where in combination with Claim 1 and 3) appears novel and not suggested by the prior art. It thus fulfills the requirements of Articles 33(2) and 33(3) PCT. It could form the basis for a new independent claim.